

ESTTA Tracking number: **ESTTA96349**

Filing date: **08/25/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91171899
Party	Defendant Dogfish Head Marketing, LLC Dogfish Head Marketing, LLC #6 Cannery Village Center Milton, DE 19968
Correspondence Address	VINCENT M. AMBERLY AMBERLY & ASSOCIATES P.O. BOX 40865 ARLINGTON, VA 22204
Submission	Answer
Filer's Name	VINCENT M. AMBERLY
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Signature	/VM AMBERLY/
Date	08/25/2006
Attachments	91171899 Answer.pdf ( 3 pages )(20496 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application of Serial No. 76/614,617

Filed: October 5, 2004

For the Mark: **CHICORY STOUT** International Class 32

Published: January 17, 2006

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**ANHEUSER-BUSCH, INC.,**

Opposer,

v.

**DOGFISH HEAD MARKETING, LLC**

Applicant.

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Opposition No. 91171899

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, DOGFISH HEAD MARKETING, LLC, through its undersigned counsel, Vincent M. Amberly, hereby files this Answer to the Notice of Opposition in the above-captioned matter, and states as follows:

1. Applicant denies the allegations in Paragraph 1 of the Notice of Opposition.
2. Applicant admits that any use by it or it of the mark CHICORY STOUT prior to July 16, 1997 was limited.
3. Applicant admits that one of the ingredients in the beer that it markets and sells under the CHICORY STOUT mark is chicory
4. Applicant denies the allegations in Paragraph 4 of the Notice of Opposition.
5. Applicant denies the allegations in Paragraph 5 of the Notice of Opposition.
6. Applicant denies the allegations in Paragraph 6 of the Notice of Opposition.
7. Applicant is without knowledge as to the truth of the allegations in Paragraph 7 of

the Notice of Opposition and, therefore, denies those allegations.

8. Each and every allegation of the Notice of Opposition herein not specifically admitted above is hereby expressly denied.

WHEREFORE, having fully answered the Notice of Opposition herein, Applicant respectfully requests that same be dismissed in its entirety and that its application Serial No. 76/614,617 proceed to registration.

Respectfully submitted,

**DOGFISH HEAD MARKETING, LLC**

Date: August 25, 2006

By: /s/ Vincent M. Amberly  
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**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** was mailed by first class mail, postage prepaid, and a copy was sent via electronic mail to counsel for Opposer, Douglas N. masters, Esq., Loeb & Loeb LLP, 321 North Clark Street, Suite 2300, Chicago, IL 60610, on this 25th day of August, 2006.

/s/ Vincent M. Amberly

Vincent M. Amberly